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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/898,648      | 07/03/2001  | James M. Carter      | 13429-40254         | 9603             |

7590 06/05/2006

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EXAMINER

HAROLD, JEFFEREY F

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2614

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/898,648

Applicant(s)

CARTER, JAMES M.

Examiner

Jefferey F. Harold

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-12 is/are pending in the application.  
4a) Of the above claim(s) 1-8 and 13-15 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 9-12 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saunders (United States Patent 4,933,921) in view of Bellmer.

Regarding claim 1, Saunders discloses a signal reproduction apparatus. In addition Saunders discloses receiving input signals from cassette player or digital audio disc which reads on claimed "portable personal audio device which is normally listened to with headphones"; transmitter assembly (9) selector assembly (14), which reads on claimed "first compartment" adapted to contain the personal audio device; detachable speaker assemblies (22), which read on claimed "second compartment adapted to contain speaker means" the speaker assemblies being detachably connected to the selector assembly to permit the detachable speaker assemblies to be disposed remotely from the transmitter assembly selector assembly; electrical connectors which reads on claimed "wire means" for transmitting electrical signal from personal audio device to the speaker assemblies, as disclosed at column 3, line 36 through column 4, line 60 and exhibited in figures 1 and 2, however, Saunders fails to disclose a wire take-up means, disposed in either the first or second compartments, upon which the wire may be wrapped. However, the examiner maintains that it was well known in the

art to provide a wire take-up means, disposed in either the first or second compartments, upon which the wire may be wrapped, as taught by Bellmer.

In a similar field of endeavor Bellmer discloses a telephone base with self-winding cord reel. In addition, Bellmer discloses a self winding reeling for a receiver cord, which reads on claimed wire take-up means upon which the wire may be wrapped, as disclosed at column 1, line 1 through column 2, line 47 and exhibited in figure 1.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Saunder by specifically providing a wire take-up means, disposed in either the first or second compartments, upon which the wire may be wrapped, as taught by Bellmer, for the purpose of organizing the electrical connectors and preventing the cord from becoming crinkled/coiled up in an objectionable manner.

Regarding claim 10, Saunders and Ballmer disclose everything claimed as applied above (see claim 9), in addition Saunders fails to disclose the detail design of the spool, such as means for rotatably supporting the spool. However, most of the wire take-up spools are rotatably supported. This is taught by Bellmer, such as the spool 20 shown in Bellmer. Hence, if it is found that Saunders does not have a rotatable wire take-up spool, then it would have been obvious for one of ordinary skill in the art to modify Saunders with a rotatable spool with/without the teaching of Bellmer, because this is a conventional feature in order to automatically rewinding the wire back to the spool (col. 2, lines 45-47 in Bellmer).

Regarding claims 11-12, the combination of Saunders and Bellmer shows: The spool and a hollow portion (see 27 in Bellmer); A third compartment for a second speaker (22 in Saunders); The wire means includes electrical connectors (42, 43 in Bellmer), the wires include first and second twisted portions (see twisted 42-43 in Bellmer's fig. 3) and second portions being wrapped on the spool (see retracted wires in Bellmer's fig. 2).

### ***Response to Arguments***

Applicant's arguments with respect to claims 9-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is 571-272-7519. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

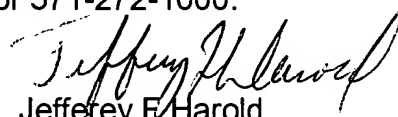
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JFH  
May 31, 2006



Jefferey F. Harold  
Primary Examiner  
Art Unit 2614